

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11 PROPERTY DAMAGE
AND BUSINESS LOSS LITIGATION

: 21 MC 101 (AKH)
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: (This Motion relates to:
: 02 CV 2987; 03 CV 0131;
: 04 CV 4577; 04 CV 6848;
: 04 CV 7136; 04 CV 7199;
: 04 CV 7225; 04 CV 7231;
: 04 CV 7234; 04 CV 7238;
: 04 CV 7240; 04 CV 7241;
: 04 CV 7244; 04 CV 7246;
: 04 CV 7248; 04 CV 7272;
: and 04 CV 7294)

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DECLARATION OF ROBERT A. CLIFFORD

I, ROBERT A. CLIFFORD, declare as follows:

1. I am admitted to practice before this Court and serve by Court Order as Liaison Counsel for the Property Damage Plaintiffs' Executive Committee ("PDPEC") in this litigation.

2. I submit this Declaration in further support of Settling Plaintiffs' Motion for an Order Requiring World Trade Center Properties to Post an Appeal Bond.

3. In support of the Settling Plaintiffs' Memorandum in Support of the Motion for an Order Requiring World Trade Center Properties to Post an Appeal bond, I attach true and correct copies of the following exhibits:

| <u>Ex.</u> | <u>Description</u> |
|-------------------|---|
| A. | Addendum B to WTCP Plaintiffs' Aug. 11, 2010 Second Circuit Civil Appeal Pre-Argument Statement (Form C); |
| B. | Apr. 23, 2007 WTCP Cross-Claim Plaintiffs' Updated Damages Disclosure: 7 World Trade Center; |

| <u>Ex.</u> | <u>Description</u> |
|-------------------|--|
| C. | Delaware Insurance Commissioner's February 20, 2007 Decision and Final Order; |
| D. | Charles V. Bagli, <i>Tentative Deal Struck for 2 Ground Zero Towers</i> , N.Y. TIMES, Mar. 26, 2010; |
| E. | WTCP's March 1, 2010 Complaint (without exhibits); |
| F. | Settling Plaintiffs' Reply Memorandum in Support of Joint Motion for Settlement Approval; |
| G. | Affidavit of Gerald G. Paul in Response to the July 28, 2010 Order Regarding Certain Uninsured Loss Plaintiffs; |
| H. | Declaration of Kerry D. Vandell in Support of WTCP Plaintiffs' Supplemental Damages Submission (March 30, 2009); |
| I. | WTCP Plaintiffs' Memorandum of Law in Opposition to the Aviation Defendants' Motion for Summary Judgment Based on CPLR 4545(c); |
| J. | WTCP Plaintiffs' Memorandum of Law in Opposition to the Aviation Defendants' Motion for Collateral Setoff Against WTCP's Claims Pursuant to N.Y. CPLR 4545(c) and for Summary Judgment on WTCP's Miscellaneous Damages Claims; |
| K. | Memorandum of Law in Opposition to Joint Motion for Orders Approving the Settlement Agreement Among the Aviation Defendants and the Settling Plaintiffs and in Support of Cross-Motion for a Preliminary Injunction; and |
| L. | August 19, 2010, Letter from JP Morgan Chase to Garretson Firm Resolution Group. |

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Chicago, Illinois
August 19, 2010

/s/Robert A. Clifford
Robert A. Clifford